

FILED

MAY 29 2008

William B. Guthrie
Clerk, U.S. District Court

By _____ Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

STEVEN ORLANDO TITSWORTH,

Petitioner,

v.

MIKE MULLIN, Warden,

Respondent.

Case No. CIV-08-129-RAW

ORDER

Before the court is the motion of the respondent to dismiss petition for habeas corpus as time barred. Petitioner has not responded to the motion and the time period for doing so (fifteen days under Magistrate Judge West's order)(#6) has passed.

The court finds the motion to be well taken, under an analysis similar to that set forth in *Oliver v. Franklin*, 2007 WL 295442 (N.D.Okla.2007).

It is the order of the court that the respondent's motion to dismiss (#7) is hereby GRANTED. Petitioner's petition pursuant to 28 U.S.C. §2254 is hereby DISMISSED.

ORDERED THIS 29th DAY OF MAY, 2008.



**RONALD A. WHITE
UNITED STATES DISTRICT JUDGE**